

## Message Text

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PAGE 01 STATE 039937

ORIGIN L-03

INFO OCT-01 ARA-06 ISO-00 FEA-01 ACDA-07 AGRE-00 AID-05  
CEA-01 CEQ-01 CG-00 CIAE-00 CIEP-01 COME-00 DLOS-06  
DODE-00 DOTE-00 EB-08 EPA-01 ERDA-05 FMC-01 TRSE-00  
H-01 INR-07 INT-05 IO-13 JUSE-00 NSAE-00 NSC-05  
NSF-01 OES-06 OMB-01 PA-01 PM-04 PRS-01 SP-02 SS-15  
USIA-06 SAL-01 /116 R

DRAFTED BY L/OES:DACOLSON/OES/OFA:TSCULLY:MERS

APPROVED BY L/OES - BERNARD H. OXMAN

INR/RGE - MR. HODGSON

OES/OFA - MR. SCULLY

ARA/CAR - DESANTILLANA

-----230414 006298 /73

R 230057Z FEB 77

FM SECSTATE WASHDC

TO AMEMBASSY SANTO DOMINGO

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E.O. 11652: N/A

TAGS: PBOR, EFIS

SUBJECT: ENFORCEMENT LIMITS OF US FISHERY CONSERVATION  
ZONE AROUND PUERTO RICO

REF: STATE 090067, 14 APRIL 1976

1. SUMMARY; EMBASSY IS REQUESTED TO DELIVER DIPLOMATIC  
NOTE TO GODR FOREIGN MINISTRY REGARDING THE ENFORCEMENT  
LIMITS OF THE U.S. 200-MILE FISHERY CONSERVATION ZONE  
WHICH BECOMES EFFECTIVE MARCH 1, 1977 AND TO DISCUSS THIS  
MATTER WITH GODR OFFICIALS. END SUMMARY.

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PAGE 02 STATE 039937

2. U.S. FISHERY CONSERVATION AND MANAGEMENT ACT OF 1976  
ESTABLISHES A 200-NAUTICAL MILE FISHERY CONSERVATION ZONE,  
EFFECTIVE MARCH 1, AROUND, INTER ALIA, PUERTO RICO.  
REFTEL CONTAINS SUMMARY OF THE PROVISIONS OF THAT LEGIS-  
LATION.

3. DRAWING A 200-MILE ZONE AROUND PUERTO RICO WILL

OBVIOUSLY OVERLAP A POTENTIAL 200-MILE ZONE AROUND THE DOMINICAN REPUBLIC. THUS AS OF MARCH 1 A MARITIME BOUNDARY ISSUE WILL EXIST BETWEEN THE U.S. AND THE DOMINICAN REPUBLIC.

4. THE BASIC USG POSITION ON MARITIME BOUNDARIES IS THAT THEY ARE TO BE DETERMINED BY AGREEMENT BETWEEN THE STATES CONCERNED IN ACCORDANCE WITH EQUITABLE PRINCIPLES. THE USG IS NOT AWARE OF ANY SPECIAL CIRCUMSTANCES IN THE AREA BETWEEN PUERTO RICO AND THE DOMINICAN REPUBLIC. ACCORDINGLY, WE BELIEVE THAT EQUIDISTANCE, GIVING FULL EFFECT TO ISLANDS IS AN APPROPRIATE BASIS FOR DETERMINING THE LIMITS OF US FISHERY JURISDICTION AROUND PUERTO RICO. THE EQUIDISTANT (OR MEDIAN) LINE IS A LINE EVERY POINT OF WHICH IS EQUIDISTANT FROM THE NEAREST POINTS ON THE RESPECTIVE COASTS (OR COASTAL BASELINES WHERE APPLICABLE) OF THE STATES CONCERNED.

5. THERE IS NO PROSPECT THAT A MARITIME BOUNDARY AGREEMENT BETWEEN THE UNITED STATES AND THE DOMINICAN REPUBLIC CAN BE NEGOTIATED PRIOR TO MARCH 1. HOWEVER, THE USG MUST DETERMINE THE LIMITS TO WHICH IT WILL ENFORCE ITS FISHERY JURISDICTION FROM MARCH 1 UNTIL SUCH TIME AS A PERMANENT BOUNDARY IS AGREED BETWEEN THE US AND THE DOMINICAN REPUBLIC. IN THIS REGARD, THE USG BELIEVES IT HAS A GENERAL OBLIGATION TO CONSULT WITH AND NOTIFY NEIGHBORING STATES REGARDING THE ESTABLISHMENT OF THE ZONE.

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PAGE 03 STATE 039937

6. THE FOLLOWING DIPLOMATIC NOTE SETTING FORTH USG INTENTION SHOULD BE TRANSMITTED TO FOREIGN MINISTRY:

BEGIN TEXT. THE EMBASSY OF THE UNITED STATES OF AMERICA PRESENTS ITS COMPLIMENTS TO THE MINISTRY OF FOREIGN AFFAIRS OF THE DOMINICAN REPUBLIC AND HAS THE HONOR TO REFER TO THE UNITED STATES FISHERY CONSERVATION AND MANAGEMENT ACT OF 1976 WHICH ESTABLISHES, EFFECTIVE MARCH 1, 1977, A 200-NAUTICAL MILE FISHERY CONSERVATION ZONE AROUND, INTER ALIA, THE VIRGIN ISLANDS OF THE UNITED STATES AND THE COMMONWEALTH OF PUERTO RICO.

THE GOVERNMENT OF THE UNITED STATES MUST ESTABLISH THE LIMITS OF THE FISHERY CONSERVATION ZONE PRIOR TO MARCH 1, 1977. IT IS THE POSITION OF THE GOVERNMENT OF THE UNITED STATES THAT MARITIME BOUNDARIES ARE TO BE DETERMINED BY AGREEMENT BETWEEN THE STATES CONCERNED IN ACCORDANCE WITH EQUITABLE PRINCIPLES. MOREOVER, THE GOVERNMENT OF THE UNITED STATES IS NOT AWARE OF ANY SPECIAL

CIRCUMSTANCES IN THE AREA BETWEEN THE COMMONWEALTH OF PUERTO RICO AND THE DOMINICAN REPUBLIC. THEREFORE, THE GOVERNMENT OF THE UNITED STATES IS OF THE VIEW THAT

APPLICATION OF THE PRINCIPLE OF EQUIDISTANCE IS AN APPROPRIATE MEANS FOR DETERMINING A MARITIME BOUNDARY IN ACCORDANCE WITH EQUITABLE PRINCIPLES. ACCORDINGLY, UNTIL AGREEMENT IS REACHED REGARDING THE MARITIME BOUNDARY IN THE AREA THE GOVERNMENT OF THE UNITED STATES, BEGINNING MARCH 1, 1977 INTENDS TO ENFORCE ITS FISHERY JURISDICTION IN THE AREA OFF THE COAST OF THE COMMONWEALTH OF PUERTO RICO TO LIMITS DETERMINED IN ACCORDANCE WITH THE PRINCIPLE OF EQUIDISTANCE.

THE EMBASSY WISHES TO INFORM THE FOREIGN MINISTRY OF THE WILLINGNESS ON THE PART OF THE GOVERNMENT OF THE UNITED STATES TO FURTHER DISCUSS THIS MATTER WITH THE GOVERNMENT LIMITED OFFICIAL USE

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PAGE 04 STATE 039937

OF THE DOMINICAN REPUBLIC, AND TO NOTE THE UNDERSTANDING OF THE GOVERNMENT OF THE UNITED STATES THAT THE AFOREMENTIONED LIMIT OF FISHERY JURISDICTION IS WITHOUT PREJUDICE TO THE VIEWS OF EITHER GOVERNMENT REGARDING THE EXTENT OF INTERNAL WATERS, THE TERRITORIAL SEA OR THE HIGH SEAS OR TO ANY POSITION WHICH MAY BE TAKEN IN THE FUTURE REGARDING THE LOCATION OF THE MARITIME BOUNDARY BETWEEN THE COMMONWEALTH OF PUERTO RICO AND THE DOMINICAN REPUBLIC.

COMPLIMENTARY CLOSE. END TEXT.

7. IN ANY DISCUSSIONS WITH GODR OFFICIALS ON THIS SUBJECT, YOU MAY ALSO DRAW ON THE FOLLOWING POINTS:

-- EVEN THOUGH THERE HAS BEEN NO EXTENSION OF JURISDICTION BY THE DOMINICAN REPUBLIC, THE U.S. WILL NOT EXTEND ITS JURISDICTION BEYOND THE EQUIDISTANT OR MEDIAN LINE.

-- THE U.S. IS ONLY EXTENDING ITS JURISDICTION OVER COASTAL FISHERIES.

-- THE U.S. JURISDICTION DOES NOT INCLUDE TUNA FISHING.

-- THE EQUIDISTANT LINE WILL BE USED AS THE LIMIT OF U.S. FISHERY JURISDICTION AND SHOULD NOT BE REGARDED AS A FORMAL BOUNDARY POSITION.

-- HOWEVER, WE WOULD BE PLEASED TO CONSIDER A FORMAL MARITIME BOUNDARY AGREEMENT ON THE BASIS OF EQUIDISTANCE GIVING FULL EFFECT TO ISLANDS. THIS MATTER COULD BE TAKEN UP LATER IN THE YEAR.

-- WE ARE PRESENTLY PREPARING CHARTS SHOWING THE LIMITS  
OF OUR FISHERY JURISDICTION, AND WILL MAKE THEM  
AVAILABLE AS SOON AS POSSIBLE.

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PAGE 05 STATE 039937

8. DEPARTMENT HAS DETERMINED THE COORDINATES OF THE  
EQUIDISTANCE LINE BETWEEN PUERTO RICO AND THE DOMINICAN  
REPUBLIC. WE ARE ALSO PREPARING CHARTS OF THE AREA  
SHOWING THE EQUIDISTANCE LINE WHICH WILL BE POUCHED TO  
THE EMBASSY WHEN READY.  
VANCE

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PAGE 01 STATE 039937

ORIGIN L-02

INFO OCT-01 OES-02 ISO-00 /005 R

66011

DRAFTED BY:L:OES:DACOLSON

APPROVED BY:L:OES:RJBETTAUER

-----031435 002526 /42

R 030800Z MAR 77

FM SECSTATE WASHDC

TO AMEMBASSY MEXICO

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FOR INFORMATION OF REGIONAL FISHERY ATTACHE

FOLLOWING TELEGRAM FROM SECSTATE WASHDC DATED FEBRUARY 23,  
1977 SENT SANTO DOMINGO IS REPEATED TO YOU: QUOTE

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TAGS: PBOR, EFIS

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PAGE 02 STATE 039937

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PAGE 05 STATE 039937

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VANCE UNQUOTE VANCE

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## Message Attributes

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**Subject:** ENFORCEMENT LIMITS OF US FISHERY CONSERVATION ZONE AROUND PUERTO RICO  
**TAGS:** PBOR, EFIS, US, DR  
**To:** SANTO DOMINGO  
**Type:** TE  
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**Review Markings:**  
Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
22 May 2009  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009